

SEP-24-02 08:54AM FROM-Merchant & Gould

6123329081

T-532 P.003/006 F-555

#12  
Electro

S/N 09/746,620

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |  |                 |              |
|-------------|--|-----------------|--------------|
| Applicant:  | DE LUMLEY-WOODYEAR ET AL.  | Examiner:       | B. FORMAN    |
| Serial No.: | 09/746,620   | Group Art Unit: | 1634         |
| Filed:      | DECEMBER 21, 2000  | Docket No.:     | 12008.21USC1 |
| Title:      | MULTI-SENSOR ARRAY FOR ELECTROCHEMICAL RECOGNITION OF NUCLEOTIDE SEQUENCES AND METHODS |                 |              |

CERTIFICATE UNDER 37 CFR 1.6(d): The undersigned hereby certifies that this correspondence is being transmitted via facsimile to: Commissioner for Patents, Washington, D.C. 20231, on March 26, 2002.

By: Rebecca Ralls  
Name: Rebecca Ralls

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In a Restriction Requirement mailed February 28, 2002, the Examiner restricted the pending claims as follows:

Group I: Claims 1-11 and 33-48, drawn to nucleic acid sensors and kits comprising the nucleic acid sensor.

Group II: Claims 12-32, drawn to methods for detecting target nucleic acid.

Group III: Claims 49-52, draws to methods for making nucleic acid sensors.

Election is made, with traverse, to prosecute Group I, claims 1-11 and 33-48. Applicants acknowledge that the inventions are distinct, but, as the Examiner states, the inventions of I and II are related as product and process of use, and the inventions of I and III are related as product and method of making. Searching Group I would yield the art related to Group II. Similarly, searching Group I would yield the art related to Group III.

Applicants reserve the right to prosecute the remaining claims, Groups II and III, in continuation applications, if the Examiner does not rejoin one or both of Groups II and III with Group I, within this application and after prosecution of Group I.

The Examiner is invited to contact the undersigned if there are any questions or in order to facilitate prosecution of this application.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612/332-5300

Dated: 26 March  
2002

Mara E. Liepa  
Mara E. Liepa  
Reg. No. 40,066



## Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota  
55402-2215 USA  
TEL 612.332.5300  
FAX 612.332.9081  
www.merchant-  
gould.com

A Professional Corporation

### Fax Transmission | March 26, 2002

TO: Commissioner for  
Patents  
Attn: Examiner B. Forman  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: Mara E. Liepa

OUR REF: 12008.21USC1  
TELEPHONE: 612-332-5300

Total pages, including cover letter: 3

PTO FAX NUMBER 1-703-872-9306

If you do NOT receive all of the pages, please telephone us at 612.332-5300, or fax us at 612.332.9081.

|                                |  |
|--------------------------------|--|
| Title of Document Transmitted: | <u>Response to Restriction Requirement</u> |
| Applicant:                     | <u>DE LUMLEY-WOODYEAR ET AL.</u>           |
| Serial No.:                    | <u>09/746,620</u>                          |
| Filed:                         | <u>DECEMBER 21, 2000</u>                   |
| Group Art Unit:                | <u>1634</u>                                |
| Our Ref. No.:                  | <u>12008.21USC1</u>                        |

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Mara E. Liepa  
Name: Mara E. Liepa  
Reg. No.: 40,066

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Rebecca Ralls

Rebecca Ralls  
Signature

GEN033.DOT

3-26-02  
Date

## Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota  
55402-2215 USA  
TEL 612.332.5300  
FAX 612.332.9081  
www.merchant-gould.com

A Professional Corporation

### Fax Transmission | September 24, 2002

TO: Commissioner for Patents  
Attn: Examiner B.J. Forman  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: Mara E. Liepa

OUR REF: 12008.21USC1  
TELEPHONE: 612-371-5222

Total pages, including cover letter: 6

PTO FAX NUMBER 1-703-746-5012

If you do NOT receive all of the pages, please telephone us at 612.332-5300, or fax us at 612.332.9081.

Title of Document Transmitted: RESENDING Response to Restriction Requirement  
(originally faxed March 26, 2002), and supporting  
documentation

Applicant: DE LUMLEY-WOODYEAR ET AL.  
Serial No.: 09/746,620  
Filed: DECEMBER 21, 2000  
Group Art Unit: 1634  
Our Ref. No.: 12008.21USC1

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Mara E. Liepa  
Name: Mara E. Liepa  
Reg. No.: 40,066

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Mara E. Liepa

Mara E. Liepa  
Signature

9/24/2002  
Date

GEN033.DOT

SEP-24-02 08:55AM FROM-Merchant & Gould

6123329081

T-532 P.006/006 F-555

03/26/02 10:53:34

USPTO->

6123329081 Right

Page 001

TO:Auto-reply fax to 6123329081 COMPANY:

## Auto-Reply Facsimile Transmission



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

TO:

Fax Sender at 6123329081

Fax Information

Date Received:

Total Pages:

3/26/02 9:38:47 AM [Eastern Standard Time]

3 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 702.04 et seq.

Received  
Cover  
Page  
=====>

|   |         |                       |  |       |           |       |
|---|---------|-----------------------|--|-------|-----------|-------|
| SEP-24-02   | 08:55AM | FROM-Merchant & Gould | 6123329081   | T-532 | P.006/006 | F-555 |
| <b>Merchant &amp; Gould</b><br>An Intellectual Property Law Firm  |         |                       | <b>3000 CCH Center</b><br>80 South High St.<br>Wilmington, Massachusetts<br>01890-2113 USA<br>Tel: 617-792-7100<br>Fax: 617-792-7081<br>www.merchant-gould.com |       |           |       |
| A Facsimile Transmission  |         |                       |  |       |           |       |
| <b>Fax Transmission   March 26, 2002</b>  |         |                       |  |       |           |       |
| TO: Commissioner for<br>Patents<br>Attn: Examiner E. Furman<br>Patent Examining Corps<br>Facsimile Center<br>Washington, D.C. 20231   |         |                       | FROM: Maria R. Lipa<br><br>OUR REF: 1200821USC1<br>TELEPHONE: 617-332-5300   |       |           |       |
| Total pages, including cover letter: 2  |         |                       |  |       |           |       |
| PTO FAX NUMBER 1-703-872-9306   |         |                       |  |       |           |       |
| If you do NOT receive all of the pages, please telephone us at 617-332-5300, or fax us at 617-332-9081.   |         |                       |  |       |           |       |
| Title of Document Transmitted: <u>Response to Restriction Requirement</u>   |         |                       |  |       |           |       |
| Applicant: <u>DE LUMBY-WOODYER ET AL.</u>   |         |                       |  |       |           |       |
| Serial No: <u>09/740,630</u>  |         |                       |  |       |           |       |
| Filed: <u>DECEMBER 21, 2000</u>   |         |                       |  |       |           |       |
| Group Art Unit: <u>1634</u>   |         |                       |  |       |           |       |
| Our Ref. No.: <u>1200821USC1</u>  |         |                       |  |       |           |       |
| Please charge any additional fees or credit overpayment to Deposit Account No. 13 3725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these pages, if appropriate. |         |                       |  |       |           |       |
| By: <u>Maria R. Lipa</u><br>Name: Maria R. Lipa<br>Reg. No.: 40,066   |         |                       |  |       |           |       |
| I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.   |         |                       |  |       |           |       |
| Examiner's Initials   |         |                       |  |       |           |       |
| Signature: <u>Maria R. Lipa</u><br>Title: <u>Attorney</u>   |         |                       | Date: <u>3-26-02</u>   |       |           |       |
| Received from < 6123329081 > at 3/26/02 9:38:47 AM [Eastern Standard Time]  |         |                       |  |       |           |       |

Received from < 6123329081 > at 9/24/02 10:00:00 AM [Eastern Daylight Time]